

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Maura Roche	Team: Squad #10	CCRB Case #: 201805408	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 05/26/2018 1:25 PM	Location of Incident: § 87(2)(b) § 87(2)(b) the 120th Precinct stationhouse	Precinct: 121	18 Mo. SOL 11/26/2019	EO SOL 11/26/2019	
Date/Time CV Reported Fri, 07/06/2018 11:20 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 07/06/2018 11:20 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
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§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. An officer			121 PCT
2. POM Christophe Orouke	20570	964195	121 PCT
3. Officers			121 PCT
4. POM Antonino Lopiccio	06974	950779	121 PCT
5. POM Paul Burns	13308	936267	121 PCT
6. POM Nicholas Cavalotti	10540	960344	121 PCT
7. POM Cristian Perez	12940	933167	121 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Anthony Donzelli	09609	963492	121 PCT
2. POM Nathaniel Beck	14800	963866	121 PCT
3. POM Daniel Roselli	31155	946548	121 PCT
4. POM Kevin Geoghegan	25013	934916	121 PCT
5. POM Edward Ruffe	05623	962069	121 PCT
6. POM Elvinas Demereckas	02939	963826	121 PCT
7. SGT Arjan Mucaj	02073	939088	121 PCT
8. POM Michael Apollonio	05763	958260	121 PCT

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: At § 87(2)(b) Staten Island, officers threatened § 87(2)(b) with the use of force.	§ 87(2)(g)
B. POM Paul Burns	Force: At § 87(2)(b) Staten Island, Police Officer Paul Burns used a Taser against § 87(2)(b)	§ 87(2)(g)

Officer(s)	Allegation	Investigator Recommendation
C.POM Antonino Lopiccolo	Abuse: At § 87(2)(b) Staten Island, Police Officer Antonino Lopiccolo forcibly removed § 87(2)(b) to the hospital	§ 87(2)(g)
D.POM Cristian Perez	Abuse: At § 87(2)(b) Staten Island, Police Officer Cristian Perez forcibly removed § 87(2)(b) to the hospital.	§ 87(2)(g)
E. Officers	Force: At § 87(2)(b) Staten Island, officers used physical force against § 87(2)(b)	§ 87(2)(g)
F. Officers	Force: At § 87(2)(b) Staten Island, officers used physical force against § 87(2)(b)	§ 87(2)(g)
G. An officer	Force: At § 87(2)(b) Staten Island, an officer used a chokehold against § 87(2)(b)	§ 87(2)(g)
H. An officer	Force: At § 87(2)(b) Staten Island, an officer restricted § 87(2)(b)'s breathing	§ 87(2)(g)
I.POM Christophe Orourke	Force: At § 87(2)(b) Staten Island, Police Officer Christopher O'Rourke used physical force against § 87(2)(b)	§ 87(2)(g)
J.POM Nicholas Cavalotti	Force: At § 87(2)(b) Staten Island, Police Officer Nicholas Cavalotti used physical force against § 87(2)(b)	§ 87(2)(g)
K.POM Christophe Orourke	Force: At § 87(2)(b) Staten Island, Police Officer Christopher O'Rourke used physical force against § 87(2)(b)	§ 87(2)(g)
L.POM Nicholas Cavalotti	Force: At § 87(2)(b) Staten Island, Police Officer Nicholas Cavalotti used physical force against § 87(2)(b)	§ 87(2)(g)
M. Officers	Abuse: At the 120th Precinct stationhouse in Staten Island, officers threatened § 87(2)(b) with the use of force.	§ 87(2)(g)

Case Summary

On July 6, 2018, § 87(2)(b) filed this complaint with the CCRB by phone.

On May 26, 2018, at approximately 1:25 p.m., PO Cristian Perez, PO Antonino LoPiccolo, PO Nathaniel Beck, PO Daniel Roselli, PO Paul Burns, PO Kevin Geoghegan, PO Michael Apollonio, and Sgt. Arjan Mucaj, all of the 121st Precinct, responded to a 911 call placed by § 87(2)(b) § 87(2)(b) for a violent EDP at § 87(2)(b) Staten Island. EMT § 87(2)(b) and EMT § 87(2)(b) from § 87(2)(b) § 87(2)(b) responded to the location. § 87(2)(b) and her wife, § 87(2)(b) § 87(2)(b) were also at the location.

§ 87(2)(b) approached the officers on the driveway outside of the home, which belonged to § 87(2)(b)'s grandmother, § 87(2)(b) and asked them to leave. Some officers allegedly made threatening motions with their hands and arms by pounding one fist into the open palm of their other hand and by jerking their fists forward as if they were going to lung forward and punch § 87(2)(b) (**Allegation A: Abuse of Authority – Threat of Force, § 87(2)(g)**). § 87(2)(b) went back into his house, and, after a few minutes, came outside and asked the officers to leave again. As § 87(2)(b) was walking down a staircase to the basement entrance to the home, PO Burns Tased § 87(2)(b) (**Allegation B: Force – Nonlethal Restraining Device, § 87(2)(g)**). PO LoPiccolo and PO Perez decided that § 87(2)(b) needed to be evaluated § 87(2)(b) because he had been hit with a Taser (**Allegations C and D: Abuse of Authority – Forcible Removal to Hospital, § 87(2)(g)**). While on the ground, after being Tased, an officer allegedly stomped on § 87(2)(b)'s foot three times. (**Allegation E: Force – Physical Force, § 87(2)(g)**).

When PO Perez and PO LoPiccolo arrived at the hospital, they led him to a private room within the emergency room, where they were met by PO O'Rourke and PO Cavalotti, also of the 121st Precinct. Two officers, along with members of the § 87(2)(b) staff, including § 87(2)(b) and § 87(2)(b) allegedly took turns over the course of 20 to 30 minutes punching § 87(2)(b) in the ribs, stomach, and testicles, and slamming his hand against the side of the hospital bed (**Allegation F: Force – Physical Force, § 87(2)(g)**). An officer allegedly stood behind § 87(2)(b) placed his forearm and bicep around § 87(2)(b)'s neck, squeezed his bicep and forearm together around § 87(2)(b)'s neck (**Allegation G: Force – Chokehold, § 87(2)(g)**) and restricted § 87(2)(b)'s breathing (**Allegation H: Force – Restricted Breathing, § 87(2)(g)**).

PO O'Rourke and PO Cavalotti took § 87(2)(b) to the Psychiatric Emergency Room, where § 87(2)(b) was briefly evaluated by a doctor and then released back into PO O'Rourke's and PO Cavalotti's custody. As PO O'Rourke and PO Cavalotti were walking with § 87(2)(b) out of the psychiatric emergency room, they allegedly pushed § 87(2)(b) to the floor and punched, kicked, and dragged him to the door (**Allegations I and J: Force – Physical Force, § 87(2)(g)**). When they got to the door, PO O'Rourke and PO Cavalotti allegedly dragged § 87(2)(b) down three flights of stairs (**Allegations K and L: Force – Physical Force, § 87(2)(g)**).

Officers then transported § 87(2)(b) to Staten Island Central Booking, as he was under arrest for violating an order of protection. § 87(2)(b) refused to allow officers to fingerprint him. After he refused, officers allegedly threatened to beat § 87(2)(b) and wrap him in a "burrito bag" if he did not provide his fingerprints (**Allegation M: Abuse of Authority – Threat of Force, § 87(2)(g)**). § 87(2)(b) was eventually released, but the investigation could not confirm his charges as he did not sign unsealing orders.

There was no video of this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: At § 87(2)(b) Staten Island, officers threatened § 87(2)(b) with the use of force.

Allegation (B) Force: At § 87(2)(b) Staten Island, Police Officer Paul Burns used a Taser against § 87(2)(b)

Allegation (C) – Abuse of Authority: At § 87(2)(b) Staten Island, Police Officer Antonino LoPiccolo forcibly removed § 87(2)(b) to the hospital.

Allegation (D) – Abuse of Authority: At § 87(2)(b) Staten Island, Police Officer Cristian Perez forcibly removed § 87(2)(b) to the hospital.

§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

§ 87(2)(b) (BR 01) stated that on May 26, 2018, at approximately 1 p.m. he was alone inside § 87(2)(b) in Staten Island, which is a private two-story home with a basement. § 87(2)(b) heard a knock, opened the basement door, walked up the stairs, and saw approximately 20 officers standing on the driveway and an ambulance parked on the street in front of the home. § 87(2)(b) asked who the officers wanted to talk to, and, when they did not respond, § 87(2)(b) told the officers to leave. § 87(2)(b) then went back into the home through the basement door.

Approximately 10 minutes later, § 87(2)(b) came out of the front door and saw that the officers were still there. § 87(2)(b) asked the officers a second time to leave in a louder tone of voice. All of the officers made threatening gestures towards § 87(2)(b) with their hands and arms by pounding their fists into the open palms of their hands and by jerking their fists forward as if they were going to lunge at § 87(2)(b). § 87(2)(b) who was not doing anything with his body, was afraid that the officers were going to hit him, so he went back into the house.

§ 87(2)(b) turned around and walked down the stairs toward the basement door. § 87(2)(b) grabbed the door knob, and, before he could turn it, he felt someone grab him by the back of the neck. § 87(2)(b) then felt two pinches on his back, and he realized that he had been hit with a Taser. One dart penetrated his skin on the back of his right shoulder above the shoulder blade, a second dart penetrated the skin on the back of his left shoulder above the shoulder blade, and a third dart penetrated the skin underneath his right arm in his armpit. § 87(2)(b) felt one continuous shock.

When § 87(2)(b) turned around, he saw PO Perez standing on the steps behind him. There were no other officers on the stairs. PO O'Rourke and PO Beck were standing at the top of the steps behind a railing looking down at him. PO Perez, PO O'Rourke, and PO Beck were all holding Tasers in their hands. § 87(2)(b) suspected that, because three darts penetrated his skin, all three officers had used their Tasers.

§ 87(2)(b) (BR 02), § 87(2)(b)'s aunt, stated that she received a call from § 87(2)(b) stating that § 87(2)(b) was screaming, breaking glass in the street, and walking up and down the street in front of her home. § 87(2)(b) was not at home when she called § 87(2)(b) but she was concerned about his behavior. § 87(2)(b) immediately called 911 and told the operator that § 87(2)(b) was acting erratically and had a family history of mental illness.

After § 87(2)(b) called 911, she and her wife, § 87(2)(b) got in their car and drove from Brooklyn to § 87(2)(b) in Staten Island. When they arrived, officers and EMTs were already on scene, and § 87(2)(b) was walking in and out of the house. The officers were trying to calm down § 87(2)(b) by speaking to him in normal tones of voice, but § 87(2)(b) was yelling, calling the officers "motherfuckers," telling the officers to "suck my dick," and threatening to sue the officers. § 87(2)(b) when he saw § 87(2)(b) yelled,

“You’re a fucking slave, § 87(2)(b). Did you tell them [the police officers] how you sold crack in Brooklyn?”

The officers, who were all keeping a distance between § 87(2)(b) and themselves, were asking him to calm down. § 87(2)(b) continued to yell profanities and started jumping up and down in front of the officers with his hands balled into fists. § 87(2)(b) held his fists above his head and, as he jumped, moved closer to the officers, who all stepped back away from § 87(2)(b) who turned around and ran down the steps to the basement door. § 87(2)(b) did not see any officers move toward § 87(2)(b) did not see any officers make fists and jerk forward as if to lunge at § 87(2)(b) and did not see any officers smack their fists into their open palms.

§ 87(2)(b) could not see what happened at the base of the stairs from where she was standing in the middle of the driveway. It appeared to her as though § 87(2)(b) might have thrown something at the officers who had followed him down the stairs, but she was not sure of this. While § 87(2)(b) was at the base of the stairs, an officer Tased § 87(2)(b) but she did not see who did this or what led to the officers doing this.

§ 87(2)(g)
§ 87(2)(b) added that § 87(2)(b) ran into the house and then back out of the house during the interaction. § 87(2)(b) subsequently pulled down the top of his sweatpants, pulled out his penis, and yelled, “Suck my dick!” One of the officers said that § 87(2)(b) had gone too far and needed to be evaluated. § 87(2)(b) got close to one of the officers and punched this officer in the face, after which he immediately turned around and ran back toward the stairwell to the basement entrance.

§ 87(2)(b) who was standing by the top of the staircase, saw § 87(2)(b) run down the stairs and stop at the landing in front of the door to the basement unit. Four officers followed § 87(2)(b). On the landing, there was a stick and a snow shovel to the left of the door. § 87(2)(b) saw § 87(2)(b) grab the snow shovel. After § 87(2)(b) grabbed the snow shovel, but, before he had a chance to move it, one of the officers Tased § 87(2)(b) in the back.

EMT § 87(2)(b) (BR 03) stated that when he and his partner, EMT § 87(2)(b) responded to the location, two officers were already there talking to § 87(2)(b). § 87(2)(b) was inside the home. § 87(2)(b) explained to EMT § 87(2)(b) that § 87(2)(b) was acting erratically and may have threatened his grandmother § 87(2)(b). The officers knocked on the front door, and § 87(2)(b) yelled from inside the building, “Go fuck yourself. Suck my dick.” § 87(2)(b) said other things of a similar nature, but EMT § 87(2)(b) could not recall what specifically he said.

After a few moments, § 87(2)(b) came out the front door, continued to yell, “Go fuck yourself. Suck my dick,” and started jumping up and down in the same spot while grabbing his genitals. § 87(2)(b) also hit his own fists against his chest. EMT § 87(2)(b) and EMT § 87(2)(b) backed away from the immediate area and moved closer to the ambulance, which was parked on the street.

§ 87(2)(b) went into the house and, after approximately two minutes, came back outside screaming, “Fuck you. This is my house.” § 87(2)(b) was standing in the middle of the driveway, and the officers, including approximately four more who had just arrived, were all asking § 87(2)(b) to calm down. Throughout, the officers kept at least four to five feet between themselves and § 87(2)(b). EMT § 87(2)(b) then saw § 87(2)(b) abruptly run toward the stairs leading to the basement entrance. EMT § 87(2)(b) did not see any officers move toward § 87(2)(b) did not see any officers make fists and jerk forward as if to lunge at § 87(2)(b) and did not see any officers smack their fists into their open palms.

A few seconds after § 87(2)(b) ran down the stairs, EMT § 87(2)(b) heard one “pop” sound, which he recognized as the sound of a Taser being deployed. EMT § 87(2)(b) could not see into the stairwell and did not know why the officer used the Taser. EMT

§ 87(2)(b) and EMT § 87(2)(b) took the stretcher out of the ambulance and went to the top of the stairwell within 45 seconds. At the top of the stairwell, EMT § 87(2)(b) saw one or two officers helping § 87(2)(b) who was rear-handcuffed, walk up the stairs. There were one to two Taser prongs sticking out of § 87(2)(b)'s back.

§ 87(2)(g) EMT § 87(2)(b) could not recall if any officers took steps toward § 87(2)(b) because everything was so hectic. § 87(2)(b) approached within an arm's length of the officers, who told § 87(2)(b) to calm down. EMT § 87(2)(b) could not recall if any officers moved toward § 87(2)(b) made fists and jerked forward as if to lunge at § 87(2)(b) or if officers smacked their fists into their open palms, although she did note that she saw § 87(2)(b) doing all of these things.

EMT § 87(2)(b) heard an officer say "Tased," but she could not recall hearing the sound of the Taser being deployed. EMT § 87(2)(b) could not recall § 87(2)(b)'s physical condition after he was Tased, nor could she recall how he got from the bottom of the stairwell to the top. No one ever explained to EMT § 87(2)(b) why § 87(2)(b) had been Tased, and she did not see which officer used the Taser.

§ 87(2)(b) (BR 05) stated that she was not at home when the incident took place, did not know why officers responded to her home, and was not aware of anything that happened before, during, or after the officers were at her home, or what § 87(2)(b)'s actions during the time he was with the officers were.

In the call § 87(2)(b) made to 911 (BR 06 and BR 45), she stated that her nephew, § 87(2)(b) was having a mental breakdown, had locked himself in the house, and had been jumping in his grandmother's face. When asked if he was violent, she stated "yes," and that the night prior he had been breaking bottles and was currently yelling, screaming, and refusing to open the door. She described § 87(2)(b) as a black male, 5'5" to 5'6" tall, with short hair, a dark complexion, light facial hair, and in his late 30s. When asked if § 87(2)(b) had any weapons, § 87(2)(b) stated that she was not sure because he was in the house and she could not see him. When § 87(2)(b) was transferred to EMS, she requested that § 87(2)(b) undergo a psychiatric evaluation.

PO LoPiccolo (BR 07) stated that he and his partner, PO Perez, received a radio call for a violent EDP at the location and were the first to arrive. PO LoPiccolo saw § 87(2)(b) standing at the end of the driveway, and she told them that § 87(2)(b) had been acting violently and that § 87(2)(b) had left the area because she was in fear for her life. In the past, § 87(2)(b) had hit § 87(2)(b) so she got an order of protection against him. § 87(2)(b) told PO LoPiccolo that the order of protection was active and that it prohibited § 87(2)(b) from being at the location. § 87(2)(b) was inside of the home at this time. While they were talking, PO LoPiccolo started to run § 87(2)(b)'s information through his department issued cell phone, but the results did not immediately appear.

After approximately two minutes, § 87(2)(b) exited the home and yelled at PO LoPiccolo and PO Perez, "Faggot," "Suck my dick," and "You're not taking me out of this house." § 87(2)(b) was clenching his fists, putting his fists in and out of his pockets, and lunging toward PO LoPiccolo and PO Perez as he said these things, and PO LoPiccolo thought that § 87(2)(b) might punch him and PO Perez. § 87(2)(b) got within an arm's distance of PO LoPiccolo and PO Perez, and, each time § 87(2)(b) lunged forward, PO LoPiccolo and PO Perez took a step back.

PO LoPiccolo asked § 87(2)(b) to keep his hands out of his pockets and asked him what had happened, but § 87(2)(b) did not comply and would not answer any of PO LoPiccolo's questions. It did not appear to PO LoPiccolo that § 87(2)(b) had anything in his pockets or that he was in possession of a weapon.

Approximately one minute later, PO Beck and PO Roselli arrived at the location, and PO LoPiccolo saw that the search he had started to run for § 87(2)(b) was completed. The

results showed an open order of protection prohibiting § 87(2)(b) from being at the location and an active I-Card (**BR 08**) with probable cause to arrest. § 87(2)(b) was still yelling, clenching his fists, and lunging at the officers. He also grabbed his genitals and told the officers, “Suck my dick.” § 87(2)(b) lunged toward PO Beck, and PO LoPiccolo, fearing that § 87(2)(b) was actually going to punch PO Beck or one of the other officers present, moved one step forward toward § 87(2)(b) because he intended to place him into handcuffs. PO LoPiccolo wanted to do this because of the open I-Card that he had found and because of § 87(2)(b)s generally threatening behavior.

§ 87(2)(b) turned around and ran down the staircase to the basement. PO LoPiccolo followed. At the base of the landing, the door to the basement unit was to the right. To the left, PO LoPiccolo saw what looked like either a broom or a shovel. § 87(2)(b) took a step toward the door then turned and extended his arms to the broom or shovel. PO LoPiccolo tried to grab § 87(2)(b)s hands to keep him from grabbing the object, because PO LoPiccolo feared § 87(2)(b) would use it as a weapon. PO LoPiccolo did not see § 87(2)(b) actually grab the object, and § 87(2)(b) did not make any statements about the object.

PO Burns, who was standing behind PO LoPiccolo to his right, approximately seven feet away from § 87(2)(b) pulled out and deployed his Taser, hitting § 87(2)(b) in the back with two darts, which both penetrated the skin. PO Burns deployed one Taser cycle, which lasted approximately five seconds. § 87(2)(b) fell to the ground on the landing with one arm underneath his stomach. PO LoPiccolo rear handcuffed § 87(2)(b) who was conscious and did not offer any resistance. No other officer removed or deployed their Tasers.

§ 87(2)(g)
When PO Perez and PO LoPiccolo arrived at the location, § 87(2)(b) was standing in the driveway with § 87(2)(b) who was also standing on the driveway closer to the home, was yelling that he wanted everyone to leave. He told PO Perez, PO LoPiccolo, and other responding officers, “Fight me,” and “I’ll kill you.” § 87(2)(b) told PO Perez and PO LoPiccolo that she suspected that § 87(2)(b) had been drinking that morning. § 87(2)(b) ran in and out of the house approximately four to five times during the course of 15 minutes. Each time he came out of the house, he approached within arm’s distance of PO Perez and PO LoPiccolo, clenched his fists, and moved his upper body forward in a motion that PO Perez interpreted as wanting to physically fight with him and PO LoPiccolo. § 87(2)(b) immediately turned around and ran down the stairs to the basement entrance of the house. PO Perez was approximately six to eight feet away from the top of the stairs. PO LoPiccolo followed § 87(2)(b) to the top of the stairs, obscuring PO Perez’s view of the landing at the base of the staircase. PO Perez did not see if § 87(2)(b) reached for anything at the base of the stairs. § 87(2)(b) went to the ground, but PO Perez could not recall his body position.

§ 87(2)(g)
When PO Beck arrived at the location, § 87(2)(b) was walking in circles and yelling profanities, sweating profusely, had dilated pupils, kept his arms stiff, and his body appeared rigid and tense.

§ 87(2)(g)
When PO Burns and his partner, PO Geoghegan, received the radio call, PO Geoghegan told PO Burns that he was almost certain that he had interacted with § 87(2)(b) when he was assigned to the Domestic Violence Unit. He said that on a prior occasion, § 87(2)(b) who was known to be violent and had a history of fighting with police officers, had hit his grandmother, and his grandmother had gotten an order of protection against him. PO Geoghegan was not sure if the order was still active.

When PO Burns arrived at the location, he heard § 87(2)(b)s aunt tell PO LoPiccolo and PO Perez that § 87(2)(b) had fought with officers on prior occasions. § 87(2)(b) was yelling that he was going to “fuck up” the officers. § 87(2)(b) who had his

fists clenched and bent at the elbow, approached within one to two feet of PO LoPiccolo. PO Burns thought that, based on his stance, what he was saying, and what PO Burns had heard of § 87(2)(b)'s history of fighting with officers, § 87(2)(b) was going to punch PO LoPiccolo. PO Burns did not see any officers take steps toward § 87(2)(b) or make any threatening gestures.

PO Burns heard an officer, he was not sure who, say something that sounded like “EDP,” and he saw PO LoPiccolo take one step forward toward § 87(2)(b) to place § 87(2)(b) into handcuffs. Before PO LoPiccolo could make contact, § 87(2)(b) turned around and ran down the stairs to the basement entrance of the house. PO LoPiccolo followed § 87(2)(b) down the steps, and PO Burns followed and stopped at the top of the staircase by a waist high metal fence.

The fence was aligned with the opening of the staircase and afforded a clear view of the stairwell, the landing, and the basement door. PO Burns saw § 87(2)(b) standing on the landing, which was approximately three feet by three feet. On the right, there was a door to the basement. In the corner between the wall adjacent to the door and the wall opposite the door, there was a four-foot-long broom with a whisk type brush, a three-foot-long “picket” like stick, which had a one-inch by one-inch square base and a three-inch-long nail sticking out from the top, and a snow shovel with a large shoveling base.

§ 87(2)(b) was initially standing with his body angled toward the door, and it appeared to PO Burns that § 87(2)(b) was going to reach for the doorknob. However, instead of grabbing the doorknob, § 87(2)(b) turned his body to the left and reached with this right hand for the area where the broom, stick, and shovel were. As soon as PO Burns saw § 87(2)(b) reach for these items, he decided to Tase him because he was thought that § 87(2)(b) was going to use the stick, the broom, or the shovel as a weapon against the officers. PO Burns thought this because of what PO Geoghegan had told him about § 87(2)(b)'s history fighting officers, § 87(2)(b)'s repeated statements that he wanted to fight officers, and because § 87(2)(b) had just approached PO LoPiccolo with clenched fists.

PO Burns deployed one Taser cycle, and the two prongs penetrated the skin on § 87(2)(b)'s back. § 87(2)(b) went down to his knees and then into a sitting position with his legs positioned in an “L” underneath him. PO LoPiccolo placed § 87(2)(b) into handcuffs and helped him walk up the stairs.

The radio call (**BR 12** and **BR 45**) stated that a violent EDP, acting aggressively, was barricaded inside of § 87(2)(b) with unknown weapons. The EDP was identified as § 87(2)(b) and was described as a black male with a dark complexion, 5’5” tall, short hair, and 30 years old.

PO Burns provided photographs (**BR 13**, **BR 14**, **BR 15**, and **BR 16**) of the broom, stick, and shovel, which he took immediately following § 87(2)(b)'s removal to the hospital.

The TRI prepared by PO LoPiccolo (**BR 17**) noted that § 87(2)(b) used force against officers. This force was described as reaching for a shovel and broom. PO LoPiccolo attempted a forcible takedown for the safety of himself, other MOS, and members of the public. The TRI prepared by PO Burns (**BR 18**) also noted that § 87(2)(b) used force against officers, which he described as reaching for a shovel and broom and pushing and shoving. PO Burns documented his use of the Taser and cited the reason for its use as protection of self, other MOS, and members of the public. § 87(2)(b) suffered minor lacerations and abrasions and was removed to the hospital for a psychiatric evaluation and to have the Taser darts removed. The Taser was deployed from approximately three feet, and two darts penetrated the skin. No additional cartridges were used. A picture attached to PO Burns’ TRI (**BR 19**) shows two darts on § 87(2)(b)'s back which passed through a white t-shirt and penetrated the skin.

§ 87(2)(g)

The X26 Taser Data Sheet (**BR 46**) indicated that a Taser was deployed on May 26, 2018, at approximately 1:56 p.m. The cycle lasted for five seconds. That Taser was not used again until later that same day at 3:48 p.m.

Although § 87(2)(b) stated that he was Tased as he reached for the doorknob, officers and § 87(2)(b) all stated that § 87(2)(b) reached for the tools (**BR 13, BR 14, BR 15, and BR 16**) at the base of the staircase and that his behavior suggested that he intended to use one of them as a weapon. Additionally, PO Burns had knowledge of § 87(2)(b)'s history of fighting officers, which he obtained from PO Geoghegan, and his violent psychiatric history, which he obtained at the location from § 87(2)(b).

Patrol Guide Procedure 221-08 (BR 21) states that a CEW should only be used against persons who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other person(s) actually present. Active aggression is described as a threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault of injury to any person is imminent. Active resisting includes physically evasive movements to defeat a member of the service's attempt to avoid or prevent being taken into or retained in custody.

According to § 87(2)(b)'s medical records (**BR 22** and **BR 23**), § 87(2)(b) was brought § 87(2)(b) at approximately 2:16 p.m. on May 26, 2018, for an evaluation after being Tased. § 87(2)(b) refused to answer questions or submit to a physical evaluation. § 87(2)(b) reviewed § 87(2)(b)'s chart, attempted to evaluate him, and determined that he was an EDP. § 87(2)(b) referred § 87(2)(b) to the psychiatric emergency room, where § 87(2)(b) also refused to answer questions or submit to a physical evaluation. § 87(2)(b) was eventually released to police custody at approximately 6:38 p.m.

Pictures attached to the TRI (**BR 19**) by show two Taser darts penetrating § 87(2)(b)'s upper back.

Patrol Guide Procedure 221-08 (**BR 21**) states that any person who has been struck by a CEW dart or who has had a CEW used on him or her in drive stun mode must be examined at a medical facility.

§ 87(2)(b), § 87(2)(g)

Allegation (E) – Force: At § 87(2)(b) in Staten Island, officers used physical force against § 87(2)(b)

§ 87(2)(b) (**BR 01**) stated that after PO Burns hit him with the Taser, he was lying on the ground at the base of the staircase. Two officers § 87(2)(b) identified as PO O’Rourke and PO Perez were standing over him. § 87(2)(b) identified PO O’Rourke by name because he was able to see his shield when PO O’Rourke was standing over him in the stairwell. § 87(2)(b) described PO O’Rourke as a white male, 6’7” tall, 250 pounds, with medium length black hair. § 87(2)(b) identified PO Perez by name, which he read at some point during the incident on his shield. He described PO Perez and a Hispanic male, 5’5” tall, chubby build, 225 pounds, light brown medium length hair, with light stubble on his face.)

While PO Perez looked for handcuffs, PO O’Rourke stomped on § 87(2)(b)’s foot three times. The third time, PO O’Rourke held his foot down on § 87(2)(b)’s foot for approximately two minutes, causing significant pain. After PO O’Rourke moved his foot, PO Perez placed § 87(2)(b) into handcuffs, and § 87(2)(b) lay on the ground for approximately five minutes. PO O’Rourke, PO Perez, PO Donzelli, and PO Beck all helped § 87(2)(b) walk up the stairs, and an EMT lifted § 87(2)(b) onto a stretcher.

§ 87(2)(b) (**BR 02**) stated that from where she was standing she could not see what was going on in the stairwell after PO Burns Tased § 87(2)(b). § 87(2)(b) did not hear § 87(2)(b) make any complaints of pain or injury.

§ 87(2)(b) (**BR 02**) stated that she had a clear view of the stairwell, and that she did not see any officers step on § 87(2)(b)’s feet, nor did she hear § 87(2)(b) make any complaints of pain or injury.

EMT § 87(2)(b) (**BR 03**) stated that he was not near the stairwell when PO Burns Tased § 87(2)(b) but that as soon as he heard the sound of the Taser being deployed, he and EMT § 87(2)(b) immediately brought the stretcher from the ambulance to the top of the stairs, which took approximately 45 seconds. EMT § 87(2)(b) did not hear § 87(2)(b) yell out in pain as he was taking the stretcher to the stairs. EMT § 87(2)(b) saw one to two officers, he was not sure who, helping § 87(2)(b) walk up the stairs, who was either walking or being carried. EMT § 87(2)(b) did not observe any injuries to § 87(2)(b)’s legs or feet, nor did he hear § 87(2)(b) make any complaints of pain or injury.

EMT § 87(2)(b) (**BR 04**) could not recall seeing § 87(2)(b) in the stairwell after he was Tased, could not recall how he got from the bottom of the stairs to the top of the stairs, and could not recall if she noted any injuries on § 87(2)(b)’s person.

According to § 87(2)(b)’s medical records (**BR 22** and **BR 23**), § 87(2)(b) refused to answer questions or otherwise be evaluated while inside of the Emergency Room at § 87(2)(b). § 87(2)(b) did not make any complaints about injuries to his legs or feet, nor did he make complaints of general pain or injury. § 87(2)(b) was eventually discharged with instructions to see his primary care physician at a later date should any symptoms arise.

PO LoPiccolo (**BR 07**) stated that as soon as § 87(2)(b) went to the ground after being Tased, he placed § 87(2)(b) into handcuffs unassisted. PO LoPiccolo and EMTs then helped § 87(2)(b) up the stairs and to the ambulance. PO LoPiccolo did not step on § 87(2)(b)’s feet and did not see any other officers do so. PO LoPiccolo could not recall who else was in the stairwell with him when he placed § 87(2)(b) in the handcuffs but noted that PO O’Rourke was never at § 87(2)(b).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Allegation (F) – Force: At § 87(2)(b) Staten Island, officers used physical force against § 87(2)(b)

Allegation (G) – Force: At § 87(2)(b) Staten Island, an officer used a chokehold against § 87(2)(b)

Allegation (H) – Force: At § 87(2)(b) Staten Island, an officer restricted § 87(2)(b) s breathing.

§ 87(2)(b) (BR 01) stated that when he got to § 87(2)(b) two officers, who he identified by name as PO Perez and PO O’Rourke, brought § 87(2)(b) into a room and placed him on a bed. The officers handcuffed § 87(2)(b) to the bed and placed him in leg shackles. The two officers, § 87(2)(b) who was the head of hospital security, and a hospital security guard entered the room and took turns punching § 87(2)(b) in the stomach, ribs, and testicles for a period of 20 to 30 minutes.

§ 87(2)(b) was left alone in the room for approximately 20 to 30 minutes, during which time no one entered or otherwise interacted with him. Then, for the next 90 minutes, the two officers, § 87(2)(b) § 87(2)(b) who is a nurse at § 87(2)(b) and the security guard periodically entered the room to punch § 87(2)(b) obtained § 87(2)(b) name a week after this incident when he went to § 87(2)(b) seeking follow-up treatment for his injuries.) At one point during this 90-minute interval, § 87(2)(b) and a male security guard tried to “break” § 87(2)(b) s hand in order to prevent him from filing lawsuits and CCRB complaints by repeatedly hitting his right hand against the side rail of the hospital bed. § 87(2)(b) § 87(2)(b) sustained a deep gash on his right hand that looked as though someone had “stabbed a knife” through his hand. The two officers tried to hold § 87(2)(b) down, and the officer § 87(2)(b) § 87(2)(b) identified as PO O’Rourke stood behind § 87(2)(b) s head, placed his arm around § 87(2)(b) s neck, and squeezed his forearm and bicep together at the elbow at the front of § 87(2)(b) s neck.

The two officers threatened to take § 87(2)(b) to the psychiatric ward if he did not be quiet about being beaten up. § 87(2)(b) asked the two officers numerous times for medical attention for the injuries he sustained during the beating, but the officers refused to provide him with any medical treatment. The two officers then escorted § 87(2)(b) to the psychiatric emergency room.

§ 87(2)(b) (BR 35) stated that he did not recall ever interacting with § 87(2)(b) on May 26, 2018, and he did not recall anyone coming into the emergency room that day who had been Tased. § 87(2)(b) saw § 87(2)(b) approximately one week later, when § 87(2)(b) § 87(2)(b) came into the emergency room looking for treatment for where the Taser darts had penetrated his skin and for the names of the hospital staff who had interacted with him on May 26, 2018.

§ 87(2)(b) was yelling loudly, cursing at hospital staff, and being generally uncooperative when asked questions about how he obtained his injuries and his pedigree information. § 87(2)(b) demanded names of everyone he interacted with, and § 87(2)(b) provided § 87(2)(b) with his name. § 87(2)(b) examined § 87(2)(b) s back, and saw what appeared to be two partially healed penetration wounds on § 87(2)(b) s upper back, which did not appear to have been recent. § 87(2)(b) pointed to a third area on his chest where he claimed a dart had penetrated his skin, but § 87(2)(b) did not see a wound. § 87(2)(b)

§ 87(2)(b) gave § 87(2)(b) bacitracin and a band-aid, and § 87(2)(b) left the hospital without receiving further treatment.

§ 87(2)(b) (BR 36) had no independent recollection of interacting with § 87(2)(b) on May 26, 2018, or at any subsequent times. § 87(2)(b) explained that officers generally accompany prisoners through the emergency room. Hospital security guards check on patients who are resisting, and she generally looks into the rooms to make sure that everything is okay with the patients. If any force is required to restrain a patient, an incident report is completed and registered within their system. § 87(2)(b) stated that no such incident reports had been created on May 26, 2018, for any incidents involving § 87(2)(b). § 87(2)(b) did not ever see any hospital staff or any officers used any force to restrain § 87(2)(b) and she did not observe anyone punch § 87(2)(b) or place their arms around the front of § 87(2)(b)'s neck. § 87(2)(b) did not recall ever physically coming into contact with § 87(2)(b).

According to § 87(2)(b)'s medical records (BR 22 and BR 23), § 87(2)(b) was triaged in the emergency room at 2:19 p.m. and was seen inside a room at 2:25 p.m. § 87(2)(b) was "uncooperative with staff" but was not acting out. § 87(2)(b) refused a vitals check. At 3:45 p.m., a second check was performed, and § 87(2)(b) refused to change his clothes and refused a vitals check. His medical records further note that § 87(2)(b) "refuses to cooperate with questioning or exam." § 87(2)(b) was deemed stable and cleared for a psychiatric evaluation.

PO LoPiccolo (BR 07) stated that he rode in the ambulance with § 87(2)(b) who was yelling profanities for the duration of the ride. PO Perez followed the ambulance in their marked police vehicle. When they arrived at the emergency room, § 87(2)(b) was transferred to a hospital bed, placed into leg shackles, which is standard procedure, and handcuffed to the bed. PO LoPiccolo and PO Perez waited primarily in the waiting room until they were relieved by PO O'Rourke and PO Cavalotti. PO LoPiccolo denied ever punching § 87(2)(b) or placing him in a choke hold and did not see any officers or hospital staff do this.

§ 87(2)(b) When they arrived at the emergency room, PO Perez and PO LoPiccolo led § 87(2)(b) to a small room that is generally reserved for EDPs. PO Perez and PO LoPiccolo waited just outside of the room and periodically checked-in on him by looking through the window of the closed door to make sure that § 87(2)(b) was still laying in the bed. Approximately one to two nurses checked on § 87(2)(b). PO Perez could not recall if he or PO LoPiccolo ever entered the room to check on § 87(2)(b) or if they only did so by looking through the window. Shortly after they arrived at the hospital, PO O'Rourke and PO Cavalotti came to relieve PO Perez and PO LoPiccolo. PO Perez denied ever punching § 87(2)(b) or placing him in a chokehold and did not observe any officers or hospital staff do so.

§ 87(2)(g) PO O'Rourke spoke with PO LoPiccolo and PO Perez, who told him that § 87(2)(b) had been Tased because he had tried to attack officers with a broom. They informed PO O'Rourke that § 87(2)(b) was waiting for a doctor to remove the Taser darts and that he would then be transferred to the psychiatric emergency room for further evaluation. PO LoPiccolo and PO Perez then left the location.

PO O'Rourke went into § 87(2)(b)'s room to check on him. § 87(2)(b) was lying on a bed with his right wrist handcuffed to the side. PO O'Rourke did not see any injuries on § 87(2)(b) besides the Taser darts, which were in the back of his neck near the hairline. § 87(2)(b) complained of pain to his legs but did not specify where it hurt, nor did PO O'Rourke see any injuries on his legs. PO O'Rourke and PO Cavalotti put leg shackles onto § 87(2)(b)'s ankles. § 87(2)(b) moved his body a little as the officers did this, but he did not offer any significant resistance.

After placing § 87(2)(b) in the leg shackles, PO O'Rourke and PO Cavalotti waited in the hallway directly outside of the room while they waited for a doctor to remove the Taser

PO O'Rourke (BR 24) stated that after § 87(2)(b) was released from the psychiatric emergency room, he and PO Cavalotti walked § 87(2)(b) who was rear handcuffed and in leg shackles, approximately 50 feet toward the exit. PO O'Rourke was holding on to § 87(2)(b)'s right arm, and PO Cavalotti was holding his left arm. § 87(2)(b) did not request assistance walking or for a wheelchair. § 87(2)(b) said that his legs hurt, but he did not specify where they hurt or what kind of pain he was in. When they were approximately 10 feet away from the door, § 87(2)(b) moved his arms away from PO O'Rourke and PO Cavalotti, threw himself to the ground, and landed on his left shoulder. PO O'Rourke's arm went downward as a result of the motion of § 87(2)(b) pulling himself to the ground. § 87(2)(b) told PO O'Rourke that he had been pushed, which PO O'Rourke denied doing.

PO O'Rourke picked § 87(2)(b) up underneath his bicep, and he and PO Cavalotti continued to walk him to the car. No other officers touched § 87(2)(b). § 87(2)(b) claimed that his legs were broken, but had no difficulty walking, and PO O'Rourke did not see any injuries on § 87(2)(b)'s legs. PO Donzelli and PO Ruffe, who arrived as § 87(2)(b) was walking to the exit, walked approximately five feet behind PO O'Rourke and PO Cavalotti and had no interactions with § 87(2)(b). PO O'Rourke did not see any officers kick, punch, or drag § 87(2)(b) at any point during the incident and denied doing so himself.

§ 87(2)(g)
§ 87(2)(b) PO Cavalotti could not recall if § 87(2)(b) tripped or fell or otherwise went to the ground as he was walking to the exit. § 87(2)(b) complained that his leg shackles were too tight, but he made no other complaints of pain or injury. PO Cavalotti did not see any officers kick, punch, or drag § 87(2)(b) at any point during the incident and denied doing so himself.

§ 87(2)(g)
§ 87(2)(b) As PO O'Rourke and PO Cavalotti were walking with § 87(2)(b) toward the door, § 87(2)(b) said, "I can't walk," let his body go limp, and fell to the floor. PO Cavalotti and PO O'Rourke picked § 87(2)(b) up by placing their hands in § 87(2)(b)'s armpits and lifting him up. Once § 87(2)(b) was upright, he walked willingly with PO Cavalotti and PO O'Rourke. PO Donzelli and his partner, PO Ruffe, walked behind PO Cavalotti and PO O'Rourke and neither came into physical contact with § 87(2)(b).

PO O'Rourke, PO Donzelli, and § 87(2)(b) all consistently stated that § 87(2)(b) did fall to the ground, and PO Cavalotti could not recall if § 87(2)(b) ever went to the ground. However, the manner in which § 87(2)(b) came to be on the ground is disputed, with PO O'Rourke and PO Donzelli stating that § 87(2)(b) went to the ground of his own volition and § 87(2)(b) alleging that he was pushed.

§ 87(2)(b), § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)

Allegation (K) – Force: At § 87(2)(b) Staten Island, Police Officer Christopher O'Rourke used physical force against § 87(2)(b)

Allegation (L) – Force: At § 87(2)(b) Staten Island, Police Officer Nicholas Cavalotti used physical force against § 87(2)(b)

§ 87(2)(b) (BR 01) stated that after he was pushed to the floor, the two officers dragged him by pulling on his arms, feet, ankles, neck, clothes, and underneath his arms down three flights of stairs to the first floor. Since the stairwell was narrow, the two officers stepped on § 87(2)(b)'s body – he could not describe where – as they tried to pull and drag him down

the stairs. § 87(2)(b) hit his face on one of the landings between the three flights and sustained a cut either above or below his lip – he could not recall which.

After reaching the bottom of the stairwell, the two officers took § 87(2)(b) to the room in the emergency room in which he had initially been seen. The officers, § 87(2)(b) and a security guard tried to lift § 87(2)(b) into a bed but they were not able to do so. A doctor came into the room and removed the Taser darts from § 87(2)(b)'s back, and he was then released from the hospital.

§ 87(2)(b) (BR 36), as noted above, had no recollection of ever interacting with § 87(2)(b).

According to § 87(2)(b)'s medical records (BR 22 and BR 23), § 87(2)(b) refused to submit to a physical evaluation § 87(2)(b). No physical injuries were noted, and § 87(2)(b) did not make any complaints of pain or injury to medical staff. § 87(2)(b) was seen in the emergency room and the psychiatric emergency room. He was not seen in any other parts of the hospital.

PO O'Rourke (BR 24) and PO Cavalotti (BR 37) both denied ever pulling, dragging, or stepping on § 87(2)(b) and did not see anyone else do this.

PO O'Rourke (BR 24), PO Cavalotti (BR 37), PO Burns (BR 10), PO Perez (BR 09), EMT § 87(2)(b) (BR 03), and EMT § 87(2)(b) (BR 04) all stated that there are no staircases or any steps between the emergency room, the psychiatric emergency room, and the parking area. There is a ramp leading into and out of each emergency room, which bypasses the curb. This was confirmed by § 87(2)(b), an attorney § 87(2)(b).

§ 87(2)(b), § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)

Allegation (M) – Abuse of Authority: At the 120th Precinct stationhouse in Staten Island, officers threatened § 87(2)(b) with the use of force.

§ 87(2)(b) (BR 01) stated that he was taken to the 120th Precinct stationhouse and then Staten Island Central Booking, which is upstairs from the 120th Precinct. Officers, who § 87(2)(b) was not able to describe, tried to fingerprint § 87(2)(b) when he was in Staten Island Central Booking, but he refused to cooperate because he did not know why he needed to go through the system. These officers threatened to “beat” § 87(2)(b) break his hands, and wrap him in a “burrito bag” if he continued to refuse to be fingerprinted. § 87(2)(b) asked what his charges were, but these officers did not know.

PO Cavalotti (BR 37) stated that he and PO O'Rourke drove § 87(2)(b) to the 120th Precinct stationhouse and informed the unknown desk sergeant that they had returned from the hospital. They then took § 87(2)(b) upstairs to register him at Staten Island Central Booking, where an officer from Staten Island Central Booking noted § 87(2)(b)'s pedigree information. After this officer obtained § 87(2)(b)'s pedigree information, § 87(2)(b) stated that he would not permit his picture or fingerprints to be taken. Another officer assigned to Staten Island Central Booking came over, and he and PO Cavalotti both asked § 87(2)(b) at least three times to allow his picture and fingerprints to be taken. (PO Cavalotti noted that there are multiple officers within Staten Island Central Booking assigned to multiple commands. To his knowledge, the person in charge of registering prisoners varies on a case by case basis.)

After approximately 10 minutes, a supervisor told PO Cavalotti and PO O'Rourke to take § 87(2)(b) back to the 120th Precinct. PO Cavalotti and PO O'Rourke brought § 87(2)(b) to the desk sergeant, who instructed them to lodge § 87(2)(b) in a cell. This sergeant then asked either PO Cavalotti or PO O'Rourke to remain at the 120th Precinct to

periodically check on § 87(2)(b) to see if he would agree to being fingerprinted and photographed. PO O'Rourke decided to stay, and PO Cavalotti left the 120th Precinct stationhouse. PO Cavalotti had no further contact with § 87(2)(b).

PO Cavalotti denied ever threatening to beat, § 87(2)(b) break his hand, put him in a "burrito bag," or otherwise use force to compel § 87(2)(b) to agree to being fingerprinted or photographed, and he did not observe any other officers do so.

§ 87(2)(g)
PO O'Rourke and PO Cavalotti took § 87(2)(b) upstairs, and officers assigned to the 120th Precinct asked § 87(2)(b) three times to submit to having his picture taken and be fingerprinted, but § 87(2)(b) refused each time and stated that he should not have been arrested. These officers told § 87(2)(b) that if he did not agree to be fingerprinted, the process would take longer. § 87(2)(b) replied, "I don't care. I'm not getting printed." These officers then told PO O'Rourke and PO Cavalotti to take § 87(2)(b) back down to the 120th Precinct and lodge him in a cell.

PO O'Rourke and PO Cavalotti brought § 87(2)(b) to a cell down stairs and a sergeant told PO O'Rourke to remain at the stationhouse and check in on § 87(2)(b) periodically to see if he would agree to be fingerprinted. PO O'Rourke remained in a chair outside the cell attendant area for the rest of his tour, and, every few hours, he asked § 87(2)(b) if he would submit to being fingerprinted. Each time, § 87(2)(b) refused and yelled profanities at PO O'Rourke. PO O'Rourke was able to observe § 87(2)(b) while he was in the cell via a surveillance camera. § 87(2)(b) walked around the cell and yelled about his rights being violated.

At approximately 12:10 a.m., PO Demereckas relieved PO O'Rourke. PO O'Rourke denied threatening to beat § 87(2)(b) break his hand, put him in a "burrito bag," or otherwise threaten force to compel him to provide his fingerprints, and PO O'Rourke did not observe any other officers do so.

The Command Log from Staten Island Central Booking was confiscated by the Criminal Justice Bureau Investigation's Unit and was unavailable to the CCRB (**BR 38**). The Command Log from the 120th Precinct is redacted (**BR 39**), but it does not record any arrests at the general time that § 87(2)(b) was brought there.

The Prisoner Holding Pen Roster from the 120th Precinct (**BR 40**) states that § 87(2)(b) was lodged in the cell at approximately 6:30 p.m. It notes that § 87(2)(b) had refused fingerprinting.

§ 87(2)(b), § 87(2)(g)
§ 87(2)(b), § 87(2)(g)
§ 87(2)(b), § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to two CCRB complaints and has been named as a victim in 10 allegations (**BR 41**).
 - § 87(2)(b)
 - § 87(2)(b)
- PO Burns has been a member-of-service for 14 years and has been a subject in two CCRB complaints and two allegations, none of which were substantiated. § 87(2)(g)
- PO LoPiccolo has been a member-of-service for seven years and has been a subject in one CCRB complaint and one allegation, which was not substantiated. § 87(2)(g)
- PO Perez has been a member-of-service for 15 years and this is the first CCRB complaint to which he has been a subject.
- PO O'Rourke has been a member-of-service for 15 years and this is the first CCRB complaint to which he has been a subject.
- PO Cavalotti has been a member-of-service for three years and has been a subject in one CCRB complaint and two allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- § 87(2)(b), § 87(2)(c)
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming unspecified injuries and seeking \$10,000,000,000 as redress (**BR 43**). There was no 50H hearing scheduled.

Squad No.: 10

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date